



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

January 19, 2010

Robert Robison
Graymont Western US Inc.
3950 South 700 East, Suite 301
Salt Lake City, Utah 84107

Subject: Copy of the Modification of Attachment A to the Reclamation Contract, Graymont Western US Inc., Cricket Mountain, M/027/0006, Millard County, Utah

Dear Mr. Robison:

On January 6, 2010 the Division received the signed Modification of Attachment A to the Reclamation Contract (MA-RC) from Graymont Western US Inc.. Our Director signed the MA-RC on January 12, 2010. Enclosed is a copy for your records.

If you have any questions please call 801-538-5291 or email bondcoordinator@utah.gov. Thank you.

Sincerely,

Penny Berry
Bond Coordinator

PB



STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

MODIFICATION OF ATTACHMENT A
TO THE
RECLAMATION CONTRACT

RECEIVED

JAN 06 2010

Name of Operator: Graymont Western US Inc.Permit Number: M0270006Mine Name: Cricket MountainPhone Number: 801-262-9342

Per the executed reclamation contract, the surety agreement for reclamation obligation is included as Attachment A to the reclamation contract as follows:

Check the boxes that apply to this form:

Surety: ☐ Decrease
☒ Increase
☐ Replacement

Reason: ☒ Amendment to NOI
☐ Cancellation/ Termination of surety
☐ Escalation
☐ Partial Release of surety
☐ Other

Explain: \$916,618.00 additional surety was required for the amendment of the NOI.

Surety Dollar Amount Associated With This Action: \$916,618.00

Surety Aggregate Amount: \$3,885,792.00

Included in this modification (surety must be attached)

Instrument(s):

<input type="checkbox"/> Corporate Surety	<input type="checkbox"/> Rider
<input checked="" type="checkbox"/> LOC Letter of Credit	<input checked="" type="checkbox"/> Amendment
<input type="checkbox"/> CD Certificate of deposit	<input type="checkbox"/> Addendum
<input type="checkbox"/> Cash	<input type="checkbox"/> Other

Explain: LOC#
\$916,618.00

Increasing surety by

Other surety not affected by this modification will remain part of Attachment A and labeled as such.
This Modification will be effective as of the last date signed below

Michael R. Brown Michael R. Brown VP Env Affairs

Authorized Officer Signature Printed

Title

Date

John R. Baza
Division Director John R. Baza
Utah Division of Oil, Gas and Mining

Date